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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/675,410

09/30/2003

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14543US02

6495

23446 7590 04/04/2008
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EXAMINER

MENDOZA JR, JORGE

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

04/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/675,410	Applicant(s) KARAOGUZ ET AL.	
	Examiner JORGE MENDOZA JR	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/11/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/11/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims **1 - 33** are presented for Examination.
2. Claims **26 - 33** have been added.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **1 - 23 & 25 - 33** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Berezowski et al. (US 2002/0016971 A1)** in view of **Parker et al. (US 2004/0125789 A1)**.

With respect to Claim **1**, the claimed "*a first television display, at a first home, to support the consumption of media; at least one first media peripheral, at the first home, for the production of media; a first storage, at the first home, for storing media, the first storage communicatively coupled to the first television display; a first set top box circuitry, at the first home, communicatively coupling the first television display and the at least one media peripheral to the communication network,*" is met by Berezowski et al. that teach user television equipment [130] at a first location, consisting of an output device [146] (such as a television) for the displaying of video, audio/video equipment [150] (such as a video camera), a storage device [144] coupled to the output device, a

set top box [142] coupling the output device and the storage device to a communication network [190] (*Fig.1; paragraphs [48]-[50], & [53]*).

The claimed "*a user interface, at the first home, having at least one view comprising a representation of at least one user defined media channel for the exchange of media*" is met by Berezowski et al. that teach guidance application equipment [171] that can provide a user interface of real-time video and audio information (*Fig. 1; paragraphs [58] & [59]*).

The claimed "*a second television display, at a second home, to support the consumption of media; a second set top box circuitry, at the second home, communicatively coupling the second television display to the communication network,*" is met by Berezowski et al. that teach the use of a 2nd user television equipment [130] at a location different than the 1st, this location having the same components of the 1st location, namely an output device [146] (such as a television) for the displaying of video, a set top box [142] coupling the output device to a communication network [190] (*Fig.1&2; paragraphs [12], [48]-[50], [60], & [127]*).

The claimed "*the first set top box circuitry having a first network address*" is not explicitly disclosed by the Berezowski et al. reference. Similarly, the claimed "*the second set top box circuitry having an associated second network address*" is not explicitly disclosed by the Berezowski et al. reference. However, in the same field of endeavor, the Parker et al. reference teach the use of network addresses for both a service provider and a requester (*Abstract; paragraphs [0009], [0019], [0027] – [0029]*).

It would have been obvious to one skilled in the art at the time the invention was conceived to have combined the exchange of media as taught by the Beavers et al. reference with the system of the Parker et al. reference in order to provide an accurate and reliable manner in which to transfer video between two locations in a real-time manner. A person of ordinary skill in the art would have been motivated to make such a modification to the Berezowski et al. reference in order to allow for the proper routing & exchange of network packets over a data network.

The claimed "*server software that maintains a user defined association of the first and second network addresses, receives a request identifying one of the first and second associated network addresses, and that responds by identifying the other of the associated first and second network addresses to support exchange of the media from the at least one first media peripheral to the second television display for consumption in a real time manner*" is not explicitly taught by the Berezowski et al. reference.

However, in the same field of endeavor, the Parker et al. reference teaches a system in which a 1st user (set top box 21) supplies a 1st network address to a server [35] which in turn uses this information to look up the network address of a 2nd user (computer workstation 14) via a lookup table (*Fig. 1; paragraph [0009], [0019], [0027], [0028]*).

It would have been obvious to one skilled in the art at the time the invention was conceived to have combined the exchange of media as taught by the Parker et al. reference with the system of the Berezowski et al. reference in order to provide an accurate and reliable manner in which to transfer video between two locations in a real-time manner. A person of ordinary skill in the art would have been motivated to make

such a modification to the Berezowski et al. reference in order to allow the transfer of the video and/or audio data from the user television equipment [130] at a distinct locations on a concurrent basis.

With respect to Claim **2**, the claimed "*wherein the media comprises one or more of audio, a still image, video, and/or data*" is met by Berezowski et al. that teach the system of Claim **1** wherein the media can be audio and/or video (*paragraph [50]*).

With respect to Claim **3**, the claimed "*wherein consumption comprises one or more of playing digitized audio, displaying a still image, displaying video, and/or displaying data*" is met by Berezowski et al. that teach the use of an output device [146] in displaying video and/or audio (*paragraph [50]*).

With respect to Claim **4**, the claimed "*wherein the associated first and second network addresses are one of an Internet protocol (IP) address, a media access control (MAC) address, or an electronic serial number (ESN)*" is met by Parker et al. that teaches the use of IP address' for the 1st and 2nd network addresses (*Fig.1; paragraphs [0019], 0027]-[0029]*).

With respect to Claim **5**, the claimed "*wherein the communication network comprises one or more of a cable infrastructure, a satellite network infrastructure, a digital subscriber line (DSL) infrastructure, an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and a wireless infrastructure*" is met by Berezowski et al. that teach a communication network such as the Internet, a wired infrastructure (dial-up connection) and/or a wireless infrastructure (*Fig.1; & paragraphs [12], [49], & [61]*).

With respect to Claim **6**, the claimed "*wherein the communication network is the*

Internet" is met as previously discussed in Claim **5** above.

With respect to Claim **7**, the claimed "*wherein the at least one first media peripheral comprises one or more of a digital camera, a digital camcorder, a video camera, a television, a personal computer, a CD player, a home juke-box, a multi-media gateway device, a multi-media personal digital assistant, a DVD player, a tape player, a microphone, and a MP3 player*" is met by Berezowski et al. that teach the use of a video camera [152] in user television equipment [130] (*Fig.1 and paragraphs [42] & [53]*).

With respect to Claim **8**, the claimed "*at least one second media peripheral, at the second home, for the production of media*" is met by Berezowski et al. that teach the use of a 2nd user television equipment [130], including a video camera [152], at a second location different from the 1st (*Fig.1&2, and paragraphs [0053], [0060], & [127]*).

The claimed "*wherein the server software supports exchange of the media from the at least one second media peripheral to the first television display for consumption in a real time manner*" is met by Parker et al. that teaches the use of a server [35] for the exchange of media between a 1st location (computer workstation [14]) & a 2nd location (set-top box [21]) over a data network [13] (*Fig.1; paragraphs [0019], [0027], & [0032]*).

With respect to Claim **10**, the claimed "*wherein the exchange of the media from the at least one first media peripheral to the second television display, and the exchange of the media from the at least one second media peripheral to the first television display occur concurrently*" is met by Parker et al. that teach a system in which a 1st user and a 2nd user are able to transmit and receive audio and/or video in a concurrent manner via a video and/or a voice link (*Fig.5; paragraph [0032]*).

With respect to Claim **11**, the claimed "*at least one sensor for detecting a condition, at the first home; and the detection of the condition causing the initiation of a request to exchange media with the second home*" is met by Berezowski et al. that teach the use of sensors in enabling audio and/or video equipment [150] to begin recording and then having the ability to transfer such information to a 2nd location (*paragraphs [56] & [61]*).

With respect to Claim **12**, the claimed "*wherein the at least one sensor comprises one or more of a door bell button, a passive infrared (PIR) motion detector, a microwave motion detector, a swimming pool water disturbance detector, a smoke detector, a fire detector, or other sensor suitable for the detection of conditions about a home*" is met by Berezowski et al. that teach the use of sensors [158] such as 'motion sensors, audio sensors, light sensors, lights-on sensors, door or window open sensors, heat sensors, smoke sensors, carbon monoxide sensors, and weight sensors' (*paragraph [56]*).

Claim **13** is met as previously discussed with respect to Claim **1**.

Claim **14** is met as previously discussed with respect to Claim **2**.

Claim **15** is met as previously discussed with respect to Claim **5**.

Claim **16** is met as previously discussed with respect to Claim **7**.

Claim **17** is met as previously discussed with respect to Claim **3**.

Claim **18** is met as previously discussed with respect to Claim **11**.

Claim **19** is met as previously discussed with respect to Claim **12**.

Claim **20** is met as previously discussed with respect to Claim **1**. The claimed *"authenticating the first location to the second location, receiving an acceptance from the second location"* is met by Berezowski et al. that teach password verification, by a 2nd user receiving video data from a 1st user (*Fig.22; paragraphs [0010] & [0131]*).

Claim **21** is met as previously discussed with respect to Claim **2**.

Claim **22** is met as previously discussed with respect to Claim **5**.

Claim **23** is met as previously discussed with respect to Claim **1**.

Claim **25** is met as previously discussed with respect to Claim **10**.

Claim **26** is met as previously discussed with respect to Claim **1**.

Claim **27** is met as previously discussed with respect to Claim **1**.

Claim **28** is met as previously discussed with respect to Claim **2**.

Claim **29** is met as previously discussed with respect to Claim **5**.

Claim **30** is met as previously discussed with respect to Claim **7**.

Claim **31** is met as previously discussed with respect to Claim **3**.

Claim **32** is met as previously discussed with respect to Claim **11**.

Claim **33** is met as previously discussed with respect to Claim **12**.

5. Claim **24** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Berezowski et al. (US PG Pub 2002/0016971 A1)** in view of **Parker et al. (US 2004/0125789 A1)** as applied to Claim **1** above, and further in view of **Fryer (US Patent 6,233,428 B1)**.

With respect to Claim **24**, the Berezowski et al. and Parker et al. references teach the system of Claim **1**, but do not explicitly disclose the claimed "wherein the authenticating uses a digital certificate". However, the Fryer reference teaches the authentication of a first user to a second user, on a video transfer system through the use of a digital certificate (*Fig.5; col.3, lines 61-65; col.4, lines 49-55; col.8, lines 28-37; col.9, lines 60-67*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of the Fryer reference with those of the Berezowski et al. reference in view of the Parker et al. reference in order to provide a secure manner in which video data can be transferred from a 1st user to a 2nd user. A person with ordinary skill in the art would have been motivated to make the modification to Berezowski et al. in view of Parker et al. in order to safeguard video data being transferred among two users.

Response to Arguments

6. Applicant's arguments with respect to Claims **1 - 33** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jorge Mendoza Jr.** whose telephone number is (571) 270-5087. The examiner can normally be reached on Monday through Friday 7:30 am – 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Scott Beliveau** can be reached at (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/JORGE MENDOZA JR/
Examiner, Art Unit 2623**

**/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2623**